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Tar Creek cleanup contract scrutinized; Oklahoma's attorney general Pruitt outlines 17 inquiries

Tulsa World, 04/24/2012

<http://bit.ly/IfEgcC>

Summary: An investigative audit into a Tar Creek trust authority is looking at possible infractions involving a contract awarded for cleanup work, according to a document released Monday by the state Auditor and Inspector's Office. In a letter dated April 21, 2011, from Attorney General Scott Pruitt to state Auditor and Inspector Gary Jones, Pruitt outlines 17 inquiries into the Lead-Impacted Communities Relocation Trust and its involvement with a reclamation contract. Trust Chairman Mark Osborn said the trust has been the subject of an audit beginning Aug. 25 but that he could not comment further. Andy Lester, attorney for the trust, declined to comment. "The audit is in the final stages and should be presented to the attorney general within a month," Jones said. "Since the audit was requested by the attorney general, it is not subject to the state's Open Records Act." Jerry Morris, state director for U.S. Sen. Tom Coburn, R-Okla., sent a memorandum that expressed "certain concerns brought to the attention of the senator and his staff pertaining to the awarding of certain contracts for reclamation of properties in the Tar Creek area."

State, EPA work out agreement on AEP-PSO plants

Tulsa World, 04/24/2012

<http://bit.ly/IfEoJm>

Summary: Gov. Mary Fallin announced Tuesday morning the state has reached an agreement with AEP-PSO and the Environmental Protection Agency over two coal-fired power generating plants in Oologah. The rules deal with emissions related to the haze, mercury and air toxics. Under the agreement, American Electric Power-Public Service Company of Oklahoma will install emission control equipment on one unit in 2015 and retire the other in 2017. The first unit will be retired in 2025 or 2026.

Okla. agreement will close 2 coal-fired plants, end lawsuit

E&E Daily, 04/24/2012

<http://bit.ly/IfH2yF>

Summary: The Obama administration reached an air pollution agreement today with Oklahoma and a major state power company that will lead to the eventual closing of two coal-fired power plants and the end of a lawsuit over the regional haze rule. The agreement between the Public Service Co. of Oklahoma (PSO), U.S. EPA, the state and the Sierra Club is aimed at meeting pollution limits in EPA's regional haze program. Under the agreement, the company -- a subsidiary of Ohio-based American Electric Power Co. Inc. -- is required to meet emissions limits at two coal units in at its northeast Oklahoma power plant in Oologah. The company said it would install new pollution-control technologies on one unit in 2015 and retire the second by 2017. The unit with the new emissions control would be retired between 2025 and 2026. "This landmark agreement outlines a clear and cost-effective path for compliance by PSO's Oklahoma coal-fired generating units with the EPA's new rules," said Stuart Solomon, PSO's president and chief operating officer. "It allows PSO to implement a compliance plan that resolves the company's most significant environmental issues, provides a manageable transition for our generation fleet and assures continued reliability for our customers." The agreement resolves issues surrounding AEP's compliance with EPA's recent mercury and air

toxics standards for coal-fired power plants, as well as the regional haze plan for Oklahoma. As a result of the agreement, AEP is withdrawing a lawsuit over the regional haze rule.

Proposed air quality settlement would retire coal units at Oologah power plant

News OK, 04/25/2012

<http://bit.ly/IfHKMh>

Summary: Public Service Co. of Oklahoma will get rid of the last two coal-fired units at its Oklahoma power plants in a proposed settlement over air quality announced Tuesday with the state, the Environmental Protection Agency and the Sierra Club. The agreement would resolve a conflict over the pace of EPA rules meant to curb emissions that affect visibility. Under the tentative agreement, PSO would meet specified emissions rates at its two coal-fired units at Northeastern station in Oologah. One coal unit would be retired by 2016, while the utility would install emissions-control equipment and retire the other unit by 2025 or 2026. As part of the proposal, the utility will withdraw a pending lawsuit against the EPA over its regional haze rule. In March 2011, the EPA rejected Oklahoma's plan to address regional haze, which covers emissions from several coal-fired power plants that affect visibility on federal lands and parks.

Man wants new trial in Red River pollution case

New Orleans Times-Picayune, 04/23/2012

<http://bit.ly/IfI5OY>

Summary: A Shreveport businessman has asked for a new trial after being convicted of several violations including the dumping of untreated wastewater directly into the Red River. John Tuma, former president of ARKLA Disposal Services Inc., was convicted in March of dumping wastewater without a permit, discharging untreated wastewater into Shreveport's sewer system and obstructing an Environmental Protection Agency inspection. Tuma's lawyer said he didn't get a fair trial. In February of 2011, Tuma, of Centerville, Texas, and his son Cody Tuma of Shreveport, were both charged in a five-count indictment. Cody Tuma pleaded guilty in February of 2012 to one count of negligently discharging pollutants into the Red River without a permit. Arkla Disposal Inc. operated as a treatment facility for wastewater related to oil and gas exploration and production.

Government Charges Former BP Engineer with Obstruction of Justice in Gulf Spill Case

BNA's Daily Environment Report, 04/25/2012

<http://bit.ly/IfIfWB>

Summary: A former BP Plc engineer was arrested April 24 on charges that he intentionally deleted dozens of text messages to a supervisor relating to the Deepwater Horizon disaster response, including the amount of oil flowing from the damaged Macondo well following the April 2010 accident, prosecutors said (United States v. Mix, E.D. La., case number not available, 4/24/12). A criminal complaint filed April 24 in the U.S. District Court for the Eastern District of Louisiana charged Kurt Mix of Katy, Texas, with two counts of obstruction of justice after he deleted more than 200 electronic text messages with a BP supervisor about the amount of oil leaking from the Gulf of Mexico well as the oil company tried a technique to stop the flow. These are the first criminal charges brought by the Justice Department in connection with the Deepwater Horizon case. Mix, who resigned from BP in January 2012, was a drilling and completions project engineer for BP and worked on the company's efforts to estimate the amount of oil leaking from the well and stop the leak including the unsuccessful "top kill" operation, according to court documents.

Katy man first to be arrested in association with BP oil spill case

Dallas Morning News, 04/24/2012

<http://dallasne.ws/IfIzol>

Summary:

A BP engineer intentionally deleted more than 300 text messages indicating the amount of oil flowing into the Gulf of Mexico was much greater than what the company later reported and that BP's efforts to control the spill were failing, the U.S. Justice Department alleged Tuesday in bringing its first criminal charges related to the deadly explosion of the Deepwater Horizon rig. Kurt Mix was arrested Tuesday and charged with two counts of obstruction of justice for allegedly destroying evidence sought by federal authorities. The charges came a day before a federal judge in New Orleans was to consider a motion granting preliminary approval of a \$7.8 billion civil settlement between BP and a committee of plaintiffs in a civil case. Shrimp processors have raised objections, saying the settlement does not adequately compensate them. Criminal penalties that could be levied against BP and its partners in the operation would be based in part on estimates of the amount of oil that spilled from the Macondo well.

Jackson Names New Science Adviser for EPA

BNA's Daily Environment Report, 04/25/2012

<http://bit.ly/IfINMe>

Summary: Environmental Protection Agency Administrator Lisa Jackson on April 24 named Glenn Paulson, an associate dean for research at the University of Medicine and Dentistry of New Jersey (UMDNJ), as the agency's new science adviser. Paulson will fill a post that has been vacant since Paul Anastas' departure in February (3 DEN A-7, 1/6/12). Paulson has served as the director of the New Jersey Center for Public Health Preparedness at UMDNJ, as assistant commissioner for science at the New Jersey Department of Environmental Protection, as director of the scientific support program for the Natural Resources Defense Council, and as senior vice president at the National Audubon Society.

GSA inspector says outside event planner violated ethics laws

Fort Worth Star-Telegram, 04/24/2012

<http://bit.ly/IfIRM3>

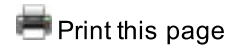
Summary: The inspector general investigating lavish spending by the General Services Administration has told federal prosecutors that an outside event planner violated ethics laws while helping to organize a conference at a swank Las Vegas hotel, according to government sources. As more details go public, investigators have also revealed that one of the GSA employees deeply involved in the controversy is Lisa Daniels, a Fort Worth-based national event planner. Daniels handled the booking of a Nevada resort for the now highly publicized government conference that a senior GSA executive wanted to be "over the top." She is also one of 10 government employees who are on administrative leave pending further discipline. Investigators want to know whether Michael W. Jahn, managing partner of Location Solvers, violated bribery laws by giving gifts to several GSA employees in excess of the government's \$20 limit, according to government sources, e-mails and transcripts of interviews conducted by the inspector general's office. The gifts, which would have been illegal for the employees to accept, included regular deliveries of flowers, concert tickets and free hotel rooms, sources said.

Tests find air emissions of toxic chemicals from a gas well, environmental group says

Dallas Morning News, 04/24/2012

<http://dallasne.ws/IfJbKT>

Summary: Citizen-funded tests found air emissions of toxic chemicals from a natural gas well at the city limits between Colleyville and Southlake, an environmental group said Tuesday. Some of the chemicals detected during a gas company's hydraulic fracturing operation in February were at levels higher than Texas guidelines for long- or short-term exposure, the group said. Private residents of Colleyville and Southlake paid for the monitoring and the analysis by a lab in Richardson. They released the results in partnership with Earthworks' Oil & Gas Accountability Protect, an advocacy group critical of gas exploration's environmental record. The gas company whose well the group monitored, Fort Worth-based Titan Operating LLC, did not respond to a request for comment.



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Tar Creek cleanup contract scrutinized; Oklahoma's attorney general Pruitt outlines 17 inquiries

BY SHEILA STOGSDILL World Correspondent

Tuesday, April 24, 2012

4/24/2012 6:20:44 AM

MIAMI, Okla. - An investigative audit into a Tar Creek trust authority is looking at possible infractions involving a contract awarded for cleanup work, according to a document released Monday by the state Auditor and Inspector's Office.

In a letter dated April 21, 2011, from Attorney General Scott Pruitt to state Auditor and Inspector Gary Jones, Pruitt outlines 17 inquiries into the Lead-Impacted Communities Relocation Trust and its involvement with a reclamation contract.

Trust Chairman Mark Osborn said the trust has been the subject of an audit beginning Aug. 25 but that he could not comment further. Andy Lester, attorney for the trust, declined to comment.

"The audit is in the final stages and should be presented to the attorney general within a month," Jones said. "Since the audit was requested by the attorney general, it is not subject to the state's Open Records Act."

Jerry Morris, state director for U.S. Sen. Tom Coburn, R-Okla., sent a memorandum that expressed "certain concerns brought to the attention of the senator and his staff pertaining to the awarding of certain contracts for reclamation of properties in the Tar Creek area."

Morris referred questions to Coburn's communications director, John Hart, who said Coburn "was concerned about the possible misuse of funds, so he turned information over to the proper authorities who could investigate the matter further."

The questions center on the bidding process regarding the Property Improvement Clearance Project that was awarded March 24, 2010.

Inquiries were also sought concerning possible Open Meeting Act violations and the bidding process in the reletting of the contract through the Department of Central Services, the letter states.

The 40-square-mile area in northern Ottawa County remains a hotbed for countless environmental problems.

The trust was formed after a 2006 Army Corps of Engineers study showed that the ground above abandoned lead and zinc mines in Cardin, Picher and Hockerville, known as the Tar Creek Superfund site, had a high risk of caving in. More than \$46 million was spent buying out homes and businesses. The relocation plan involved 878 buyout offers.

The trust is also involved in litigation regarding buyout offers.


Earlier, trust officials said the buyout offers were greater than the 2005 state-sponsored buyout. Buyout

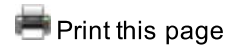
4/25/12 Tar Creek cleanup contract scrutinized; Oklahoma's attorney general Pruitt outlines 17 inquiries | Tulsa ...
offers in 2005 averaged \$54,000, whereas the federally funded buyout averaged \$65,624.

Before the buyouts began, Picher had 1,640 residents and Cardin had 150 residents, U.S. Census records show.

Original Print Headline: Tar Creek cleanup contract scrutinized

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State, EPA work out agreement on AEP-PSO plants

BY RANDY KREHBIEL World staff writer

Tuesday, April 24, 2012

4/24/2012 10:18:11 AM

OKLAHOMA CITY – Gov. Mary Fallin announced Tuesday morning the state has reached an agreement with AEP-PSO and the Environmental Protection Agency over two coal-fired power generating plants in Oologah.

The rules deal with emissions related to the haze, mercury and air toxics.

Under the agreement, American Electric Power-Public Service Company of Oklahoma will install emission control equipment on one unit in 2015 and retire the other in 2017. The first unit will be retired in 2025 or 2026.

"This agreement provides much needed certainty for PSO and its utility customers, ensures manageable and acceptable costs to consumers, transitions PSO's fleet to be cleaner and more efficient, and provides real environmental benefits for all Oklahomans," Fallin said.

Final settlement documents are expected in 30 to 60 days, after which it will be subject to public review and comment.

Associated Images:

STAY AHEAD OF THE HEADLINES

5. AIR POLLUTION:**Okla. agreement will close 2 coal-fired plants, end lawsuit**

Jeremy P. Jacobs, E&E reporter

Published: Tuesday, April 24, 2012

The Obama administration reached an air pollution agreement today with Oklahoma and a major state power company that will lead to the eventual closing of two coal-fired power plants and the end of a lawsuit over the regional haze rule.

The agreement between the Public Service Co. of Oklahoma (PSO), U.S. EPA, the state and the Sierra Club is aimed at meeting pollution limits in EPA's regional haze program.

Under the agreement, the company — a subsidiary of Ohio-based American Electric Power Co. Inc. -- is required to meet emissions limits at two coal units in at its northeast Oklahoma power plant in Oologah. The company said it would install new pollution-control technologies on one unit in 2015 and retire the second by 2017.

The unit with the new emissions control would be retired between 2025 and 2026.

"This landmark agreement outlines a clear and cost-effective path for compliance by PSO's Oklahoma coal-fired generating units with the EPA's new rules," said Stuart Solomon, PSO's president and chief operating officer. "It allows PSO to implement a compliance plan that resolves the company's most significant environmental issues, provides a manageable transition for our generation fleet and assures continued reliability for our customers."

The agreement resolves issues surrounding AEP's compliance with EPA's recent mercury and air toxics standards for coal-fired power plants, as well as the regional haze plan for Oklahoma. As a result of the agreement, AEP is withdrawing a lawsuit over the regional haze rule.

"By working together, Oklahoma, PSO and EPA have developed a practical plan which meets both our shared environmental goals and Oklahoma's energy needs for the future," EPA said in a statement.

The agency also said the plan will boost the company's use of natural gas, a cleaner-burning fuel.

"When completed, this plan will help PSO expand its use of natural gas and other renewable sources of power," EPA said. "Oklahoma has led the way in creating a win-win solution for us all."

Oklahoma Gov. Mary Fallin (R) also applauded the agreement.

"This agreement provides much needed certainty for PSO and its utility customers, ensures manageable and acceptable costs to consumers, transitions PSO's fleet to be cleaner and more efficient, and provides real environmental benefits for all Oklahomans," Fallin said in a statement.

Oklahoma had filed a lawsuit to challenge EPA's rejection of the state's implementation plan to address regional haze. The agency's federal plan would have required the PSO plants to cut their emissions of soot-forming sulfur dioxide by 95 percent.

The state argued that the cost of the controls necessary to reach that standard would have caused electricity rates to jump significantly ([Greenwire](#), June 1, 2011).

Oklahoma Secretary of Energy Michael Ming said today's settlement will allow the state to bypass court dates.

"This agreement avoids costly and uncertain litigation and mitigating risks to consumers, all while improving the environment with an Oklahoma solution," Ming said.

Proposed air quality settlement would retire coal units at Oologah power plant

Public Service Co. of Oklahoma will take the last of its two coal-fired generating units at Northeastern Station offline by 2026 under a proposed settlement released Tuesday.

By **Paul Monies** | Published: April 25, 2012  2

Public Service Co. of Oklahoma will get rid of the last two coal-fired units at its Oklahoma power plants in a proposed settlement over air quality announced Tuesday with the state, the Environmental Protection Agency and the Sierra Club.

The agreement would resolve a conflict over the pace of EPA rules meant to curb emissions that affect visibility. Under the tentative agreement, PSO would meet specified emissions rates at its two coal-fired units at Northeastern station in Oologah. One coal unit would be retired by 2016, while the utility would install emissions-control equipment and retire the other unit by 2025 or 2026.

As part of the proposal, the utility will withdraw a pending lawsuit against the EPA over its regional haze rule. In March 2011, the EPA rejected Oklahoma's plan to address regional haze, which covers emissions from several coal-fired power plants that affect visibility on federal lands and parks.

"This landmark agreement outlines a clear and cost-effective path for compliance by PSO's Oklahoma coal-fired generating units with the EPA's new rules," said Stuart Solomon, PSO's president and chief operating officer, in a statement. "It allows PSO to implement a compliance plan that resolves the company's most significant environmental issues, provides a manageable transition for our generation fleet and assures continued reliability for our customers."

Oklahoma Attorney General Scott Pruitt and Oklahoma Gas and Electric Co. continue to fight the EPA's regional haze plan for Oklahoma in a federal appeals court in Denver.

PSO, a unit of Ohio-based American Electric Power, has more than 520,000 electric customers in eastern and southwestern Oklahoma. The Northeastern power plant, which can generate up to 1,780 megawatts of electricity, has two coal-fired units and two natural-gas-fired units. The coal units came online in 1979 and 1980.

Utility will recover costs

Bud Ground, PSO's manager of governmental and environmental affairs, said the company hasn't decided how it will make up for the lost generation from the planned coal unit retirements.



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AP LOUISIANA NEWS

- [Bossier road improvements planned ahead of casino](#) April 25, 2012, 8:18 a.m. CDT
- [Washington police seize 17 pit bulls](#) April 25, 2012, 8:15 a.m. CDT
- [Shreveport may add United westbound hub](#)

Man wants new trial in Red River pollution case

April 23, 2012, 3:03 a.m. CDT
AP

SHREVEPORT, La. (AP) — A Shreveport businessman has asked for a new trial after being convicted of several violations including the dumping of untreated wastewater directly into the Red River.

John Tuma, former president of ARKLA Disposal Services Inc., was convicted in March of dumping wastewater without a permit, discharging untreated wastewater into Shreveport's sewer system and obstructing an Environmental Protection Agency inspection.

Tuma's lawyer said he didn't get a fair trial.

In February of 2011, Tuma, of Centerville, Texas, and his son Cody Tuma of Shreveport, were both charged in a five-count indictment. Cody Tuma pleaded guilty in February of 2012 to one count of negligently discharging pollutants into the Red River without a permit.

Arkla Disposal Inc. operated as a treatment facility for wastewater related to oil and gas exploration and production.

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Daily Environment Report™

Source: Daily Environment Report: News Archive > 2012 > April > 04/25/2012 > News > Oil Spills:
Government Charges Former BP Engineer With Obstruction of Justice in Gulf Spill Case

79 DEN A-13

Oil Spills

Government Charges Former BP Engineer With Obstruction of Justice in Gulf Spill Case

By Susanne Pagano

HOUSTON—A former BP Plc engineer was arrested April 24 on charges that he intentionally deleted dozens of text messages to a supervisor relating to the Deepwater Horizon disaster response, including the amount of oil flowing from the damaged Macondo well following the April 2010 accident, prosecutors said (*United States v. Mix*, E.D. La., case number not available, 4/24/12).

A criminal complaint filed April 24 in the U.S. District Court for the Eastern District of Louisiana charged Kurt Mix of Katy, Texas, with two counts of obstruction of justice after he deleted more than 200 electronic text messages with a BP supervisor about the amount of oil leaking from the Gulf of Mexico well as the oil company tried a technique to stop the flow.

These are the first criminal charges brought by the Justice Department in connection with the Deepwater Horizon case.

Mix, who resigned from BP in January 2012, was a drilling and completions project engineer for BP and worked on the company's efforts to estimate the amount of oil leaking from the well and stop the leak including the unsuccessful "top kill" operation, according to court documents.

After Mix learned in October 2010 that his electronic files were to be collected by an outside vendor retained by BP's attorneys, he allegedly deleted a text string containing messages with his supervisor, some of which were recovered forensically, prosecutors said.

Court documents further alleged that, among other things, Mix deleted on May 26, 2010, the first day of the top kill exercise, a text in which he said, "Too much flowrate—over 15,000," which indicated that the flow was three times BP's public estimate of a 5,000 barrels of oil per day and that the effort was unlikely to succeed, the Justice Department said.

Additionally, on Aug. 19, 2011, Mix allegedly deleted a text string containing more than 100 text messages with a BP contractor regarding spill response after learning that his iPhone was about to be imaged by a vendor working for BP's outside counsel.

Affidavit Details

According to an affidavit filed in court by FBI Special Agent Barbara O'Donnell, Mix received his first "legal hold notice" two days after the accident, advising him to retain all records relevant to the Macondo well incident, including "instant and text messaging documents."

Over the following two months, Mix received five additional legal hold notices.

In the affidavit, O'Donnell said there is probable cause to believe that on two or three separate dates, "Mix did knowingly and corruptly alter, destroy, mutilate, and conceal a record, document, or other object, and attempted to do so, with the intent to impair the object's integrity and availability for use in an official proceeding."

BP terminated the unsuccessful top kill effort on May 29, 2010 (104 DEN A-10, 6/2/10).

The Justice Department launched a criminal investigation into the oil spill on June 1, 2010.

An estimated 4.9 million barrels of oil leaked into the Gulf after the explosion that killed 11 workers on Transocean's rig Deepwater Horizon. The well was permanently sealed with cement in September 2010.

BNA Snapshot

United States v. Mix, E.D. La., case number unavailable, 4/24/12

Key Development: The Justice Department charges a former BP engineer with destroying evidence requested for the federal criminal investigation of the Deepwater Horizon accident, oil spill in the Gulf of Mexico.

BP Responds to Criminal Complaint

In a statement, BP said it had "clear policies requiring preservation of evidence in this case and has undertaken substantial and ongoing efforts to preserve evidence."

The company said it is cooperating with the Justice Department and other official investigations into the Deepwater Horizon accident and oil spill and would not comment on the government's case against Mix.

If convicted, Mix faces up to 20 years in prison and a \$250,000 fine per count, the Justice Department said.

Mix was represented at an April 24 bond hearing by attorney David Gerger with Gerger & Clark of Houston. A hearing is scheduled May 3 in New Orleans.

Investigation Continues

Attorney General Eric Holder said the Deepwater Horizon Task Force is continuing its investigation into the explosion and "will hold accountable those who violated the law in connection with the largest environmental disaster in U.S. history."

Information regarding the amount of oil spilled will be key in levying possible fines against BP and other responsible parties under the federal Clean Water Act. The act specifies a fine of \$1,100 per barrel of spilled crude and \$4,300 if the discharge is the result of gross negligence.

Meanwhile, BP's proposed civil settlement agreements totaling an estimated \$7.8 billion are pending in the U.S. District Court for the Eastern District of Louisiana to resolve most private economic loss and medical claims stemming from the rig accident and oil spill (75 DEN A-12, 4/19/12).

For More Information

The criminal complaint in United States v. Mix is available at <http://op.bna.com/env.nsf/r?Open=smiy-8tnupf>.

The affidavit is available at <http://op.bna.com/env.nsf/r?Open=smiy-8tnutj>.

Contact us at <http://www.bna.com/contact/index.html> or call 1-800-372-1033

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Katy man first to be arrested in association with BP oil spill case

Associated Press

Published: 24 April 2012 01:39 PM

NEW ORLEANS (AP) — A BP engineer intentionally deleted more than 300 text messages indicating the amount of oil flowing into the [Gulf of Mexico](#) was much greater than what the company later reported and that BP's efforts to control the spill were failing, the [U.S. Justice Department](#) alleged Tuesday in bringing its first criminal charges related to the deadly explosion of the Deepwater Horizon rig.

Kurt Mix was arrested Tuesday and charged with two counts of obstruction of justice for allegedly destroying evidence sought by federal authorities.

The charges came a day before a federal judge in New Orleans was to consider a motion granting preliminary approval of a \$7.8 billion civil settlement between BP and a committee of plaintiffs in a civil case. Shrimp processors have raised objections, saying the settlement does not adequately compensate them.

Criminal penalties that could be levied against BP and its partners in the operation would be based in part on estimates of the amount of oil that spilled from the Macondo well.

In an emailed statement, BP said it would not comment on the case but is cooperating with the Justice Department and other investigations into the [oil spill](#). "BP had clear policies requiring preservation of evidence in this case and has undertaken substantial and ongoing efforts to preserve evidence," the statement said.

Mix, 50, of Katy, Texas, was scheduled to appear in federal court in Houston on Tuesday afternoon. If convicted, he faces up to 20 years in prison and a fine of up to \$250,000 on each count.

The engineer deleted more than 200 messages sent to a BP supervisor from his [iPhone](#) in October 2010 containing information about how much oil was spilling out - and then erased 100 more the following year after receiving numerous legal notices to preserve the information, the Justice Department said in a news release.

On the very first day in May of 2010 that BP began to use the "top kill" method to plug the leaking well by pumping heavy mud into the blown-out well head, Katy estimated in a text to his supervisor that 15,000 barrels of oil per day were spilling - an amount greater than what BP said the method could likely handle.

The BP-leased rig Deepwater Horizon exploded the night of April 20, 2010, killing 11 workers and setting off the nation's worst offshore oil disaster. More than 200 million gallons of crude oil flowed out of the well off the Louisiana coast before it was capped.



Daily Environment Report™

Source: Daily Environment Report: News Archive > 2012 > April > 04/25/2012 > News > In Brief > Science
Policy: Jackson Names New Science Adviser for EPA

79 DEN A-15

Science Policy

Jackson Names New Science Adviser for EPA

Environmental Protection Agency Administrator Lisa Jackson on April 24 named Glenn Paulson, an associate dean for research at the University of Medicine and Dentistry of New Jersey (UMDNJ), as the agency's new science adviser. Paulson will fill a post that has been vacant since Paul Anastas' departure in February (3 DEN A-7, 1/6/12). Paulson has served as the director of the New Jersey Center for Public Health Preparedness at UMDNJ, as assistant commissioner for science at the New Jersey Department of Environmental Protection, as director of the scientific support program for the Natural Resources Defense Council, and as senior vice president at the National Audubon Society.

Contact us at <http://www.bna.com/contact/index.html> or call 1-800-372-1033

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Star-Telegram

GSA inspector says outside event planner violated ethics laws

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BY LISA REIN

The Washington Post

WASHINGTON — The inspector general investigating lavish spending by the General Services Administration has told federal prosecutors that an outside event planner violated ethics laws while helping to organize a conference at a swank Las Vegas hotel, according to government sources.

As more details go public, investigators have also revealed that one of the GSA employees deeply involved in the controversy is Lisa Daniels, a Fort Worth-based national event planner. Daniels handled the booking of a Nevada resort for the now highly publicized government conference that a senior GSA executive wanted to be "over the top."

She is also one of 10 government employees who are on administrative leave pending further discipline.

Investigators want to know whether Michael W. Jahn, managing partner of Location Solvers, violated bribery laws by giving gifts to several GSA employees in excess of the government's \$20 limit, according to government sources, e-mails and transcripts of interviews conducted by the inspector general's office.

The gifts, which would have been illegal for the employees to accept, included regular deliveries of flowers, concert tickets and free hotel rooms, sources said.

Location Solvers, based in Washington, describes itself on its website as a "premier hotel search firm" that finds sites for meetings, conventions, retreats and guest rooms. Among the clients it lists is the Homeland Security Department. The GSA is not included.

In 2010 the GSA hired the company to select 14 hotels as venues for conferences and other agency functions, according to a briefing that Inspector General Brian Miller gave agency leaders. One of the hotels was the M Resort and Casino in Las Vegas, where the Public Buildings Service hosted a four-day meeting in 2010 that was investigated by Miller's office.

Jahn, 42, did not return numerous phone calls and e-mails seeking comment.

Billed as team-building for 300 employees, the 2010 Western Regions conference featured private parties, a mind reader, a talent show, extravagant food spreads and other entertainment. The cost to taxpayers was \$823,000.

Location Solvers is one of numerous vendors — including a company that provided audio-visual services for \$59,000 and one that offered a bike-building exercise for \$75,000 — whose services for the Las Vegas event were not competitively bid, as federal rules require.

Asked at a congressional hearing last week whether he is looking into possibly illegal relationships between vendors and conference organizers, Miller said, "We're looking at all of those things." He also said he is investigating possible bribery and kickbacks at the agency.

Federal employees cannot solicit or accept gifts of more than \$20 from any entity doing business with their agency, or use their position to induce someone to provide a benefit to them, their friends or relatives.

'Over the top' event

The GSA, like most federal agencies, has several full-time planners who find hotels and arrange conferences and other events.

But when Daniels, the Fort Worth-based planner for the GSA, set out in 2009 to find a Las Vegas hotel for the conference, she sought the services of Location Solvers, according to transcripts. The transcripts are of interviews with Jeffrey Neely.

Neely, the senior GSA executive hosting the conference, wanted an "over the top" event that would best past conferences, the inspector general noted in a report this month.

Minutes after posting a solicitation for the conference event online, Daniels contacted Jahn, a friend with whom she had done business, to let him know, according to the transcript.

Jahn immediately telephoned the sales staff at the M Resort and said he had a lead on a government conference scheduled for October 2010, according to an investigator in the Neely transcript.

Daniels eventually signed a contract with the hotel that included catering, audiovisual services and other incidentals. Jahn was entitled to a commission of 10 percent on what the government spent, paid by the hotel.

Over several months of planning that included eight scouting and planning trips to Las Vegas at a cost of \$130,000 to taxpayers, Jahn acted as a matchmaker between GSA and the hotel, according to government sources and e-mails. Jahn was paid a commission of \$12,601.50, which was added to the conference catering bill of \$146,527.

The inspector general criticized the arrangement: "The M Resort's willingness to pay over \$12,000 as a finder's fee strongly indicates that further discounts might have been available to GSA if ... the agency ... had contacted the hotel directly, rather than working through Location Solvers," Miller concluded, calling the use of an outside event planner "redundant and wasteful."

Location Solvers' commission was not written into the hotel contract, according to the transcripts.

Daniels on leave

Daniels, reached at her home in Fort Worth, referred calls to her attorney, Michael Ware, who said she would have no comment for now.

"I have just begun looking into the allegations of wrongdoing that are being made and attempting to separate what may be true from what is absolutely not true or only half true," Ware said in an e-mail to the *Star-Telegram*.

"That includes any allegations regarding Location Solvers and Mr. Jahn. Ms. Daniels has been completely cooperative with investigators and has done everything she has been asked to do. She is by all accounts a good person. She has never been caught up in anything like this and it has been overwhelming," Ware said.

On one planning trip to Las Vegas, Neely, the GSA executive, augmented his event staff with 50 managers for a meeting of his "leadership team." Neely told the investigator that he wanted to "try on the resort for size." The cost was \$54,000.

Jahn was key to getting the 50 managers to the M Resort.

"Hi Patty," he wrote to an event planner in May 2009, according to an e-mail obtained by *The Washington Post*. "Do you have anymore updates on the leadership meeting?"

"I'd like to strike while things are hot with M Resort," Jahn wrote in an e-mail to an event planner in May 2009, according to *The Post*. "Lisa returned the contract last week plus I have a couple other monster meetings with M pending. It's a give and take -- and right now I'm giving so it's time to take ... and when I said take I mean, 'take your group for November with upgrades, concessions, etc ... etc.'"

A hotel spokeswoman declined to comment.

Before the first scouting trip in March 2009, Jahn e-mailed the hotel to say a GSA employee would be staying a night before the travel days for the trip and did not want to pay the \$435 room price. The employee "needs a friend of a friend of the owner rate, (wink)," Jahn wrote.

According to government sources, his other gifts to GSA staff included tickets to a Cher concert at Caesars Palace, which cost between \$95 and \$250. Jahn also arranged room discounts for a GSA event planner at another Las Vegas hotel and organized a discounted birthday party there for the woman's daughter.

"An inappropriate relationship with a hotel would be to go to the hotel and ask for favors that benefit the individuals personally," Miller told lawmakers last week. "It's inappropriate to negotiate with vendors for personal benefits. That would be -- you're not allowed to use your office for personal gain."

Fort Worth connection

In addition to Daniels' involvement, officials with the U.S. House Committee on Oversight and Government Reform have released a music video called "Are You Ready for a Miracle." In it, property workers from the Fort Worth-based Region 7 GSA office perform a humorous skit about the agency's environmental programs.

"Are you ready to go green?" was the refrain of the skit, done to the beat of a Patti LaBelle gospel song.

It received a prize on the final night of the Western Regions conference.

When he handed out the prize, Neely remarked, "That was amazing; was there anybody in Region 7 who wasn't in that thing?"

"If they didn't work on Friday, then chances are they weren't in the video," said the woman who accepted the award.

The Region 7 office covers Texas, Arkansas, Louisiana, New Mexico and Oklahoma.

Staff writers Yamil Berard and John Gravois contributed to this report, which includes material from the Las Vegas Review-Journal.

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Tests find air emissions of toxic chemicals from a gas well, environmental group says

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Citizen-funded tests found air emissions of toxic chemicals from a natural gas well at the city limits between [Colleyville](#) and [Southlake](#), an environmental group said Tuesday.

Some of the chemicals detected during a gas company's hydraulic fracturing operation in February were at levels higher than Texas guidelines for long- or short-term exposure, the group said.

Private residents of Colleyville and Southlake paid for the monitoring and the analysis by a lab in [Richardson](#). They released the results in partnership with Earthworks' Oil & Gas Accountability Protect, an advocacy group critical of gas exploration's environmental record.

The gas company whose well the group monitored, Fort Worth-based Titan Operating LLC, did not respond to a request for comment.

"We paid for tests because we can't depend on the city or the fracking industry," Colleyville resident Kim Davis said. "The tests confirmed our worst fears, while Colleyville ignored their own tests to let fracking continue.

"Apparently the city represents Titan and the gas industry instead of local residents."

Colleyville's consultant on gas-production air emissions, Kenneth Tramm, pronounced the group's samplings to be of little use.

"While the intention of the sampling event performed is laudable, the unfortunate result of poorly collected information is often further confusion among the community at large," Tramm wrote in a nine-page report the city released Tuesday.

Southlake spokeswoman Pilar Schank said the city was working with Colleyville on issues involving the well. The well is in Colleyville but is adjacent to Southlake.

Earthworks said the air emissions occurred during hydraulic fracturing — the process of forcing large amounts of treated water into a well to release trapped gas — and flowback, when some of that liquid returns to the surface.

The group reported the results of three air samples taken on three days in February at distances from the well of about 1,100 feet, 1,500 feet and 1,700 feet.

A lab identified 13 chemicals and tentatively identified 13 more, Earthworks said.

Wilma Subra, an environmental consultant who has worked with critics of [Barnett Shale](#) gas development, analyzed the results.

Six chemicals exceeded the Texas Commission on Environmental Quality's effects screening levels for long-term exposure, Subra's report said.

One chemical, carbon disulfide, was over the TCEQ's effects screening level for short-term exposure.

According to the TCEQ, exposures below the effects screening levels should not result in any health problems. However, that does not mean that exposures above those levels necessarily cause harm.

Earthworks should have checked its results against the TCEQ's air monitoring comparison values, which are a different, better-defined set of criteria, wrote Tramm, Colleyville's consultant. None of the findings exceeded those comparison values.

Earthworks' results do not indicate how long any of the detected emissions might have lasted, a key factor in determining health risks.

Samples taken on Feb. 1 and Feb. 2 found at least one chemical above an effects screening level, but a sample on Feb. 9 found none.

"The TCEQ does not comment on other people's studies, especially where we don't have sufficient information on methodology," commission spokeswoman Andrea Morrow said.

"Wind speed and direction, how the facility was operating, how long the samples were collected, etc., have to be taken into consideration."

AT A GLANCE: Emissions tests in Colleyville

- An environmental group says tests detected air emissions of toxic chemicals from a natural gas well in Colleyville.

- Three air samples were taken on three days in February — about 1,100 feet, 1,500 feet and 1,700 feet from the well.
- A lab identified 13 chemicals and tentatively identified 13 more.
- Six chemicals exceeded the Texas Commission on Environmental Quality's effects screening levels for long-term exposure.
- One chemical, carbon disulfide, was over the TCEQ's effects screening level for short-term exposure.
- A consultant described the sampling as "poorly collected information" and of little use.
- TCEQ has questions about the study's methodology.